



CP 1721

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : PATENT  
PAUL M. McELFRESH, et al. : Group Art Unit: 1721  
Serial No.: 09/400,812 : Examiner: UNKNOWN  
Filed: September 22, 1999 : Docket No.: 304-15027-1  
For: HYDRAULIC FRACTURING USING : Date: January 10, 2000  
NON-IONIC SURFACTANT :  
GELLING AGENT :

EX. 9. 4/24/00

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TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT BEFORE MAILING DATE OF EITHER A FINAL  
ACTION OR NOTICE OF ALLOWANCE — 37 CFR §1.97(c)

Assistant Commissioner for Patents  
Box Non-fee Amendment  
Washington, D.C. 20231

Sir:

1. Time of Transmittal of Accompanying Information Disclosure Statement

The Information Disclosure Statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either:

- (1) a final Action under §1.113 or
- (2) a Notice of Allowance under §1.311, whichever occurs first.

2. Certification, Petition and Fee

Accompanying this transmittal is:

- ☒ A. a certification as specified in 37 CFR §1.97(e).  
☐ B. the fee set forth in 37 CFR §1.17(p) for submission of an Information Disclosure Statement under §1.97(c). (\$240.00).

3. Fee Payment

☐ Applicant elects the option to pay the fee set forth in 37 CFR §1.17(p) for submission of an Information Disclosure Statement under §1.97(c) (\$240.00).

Fee due: \$240.00.

4. Method of Payment of Fee

☐ Attached is a check for \$\_\_\_\_\_.

☐ Please charge Account 02-0429 \$240.00. This petition is submitted in duplicate.

If any additional petition fees are due for this item only, please charge Account 02-0429.

5. Miscellaneous

☐ In an abundance of caution, a copy of the PCT International Search Report which accompanied the additional documents is enclosed.

Respectfully submitted,  
PAUL M. McELFRESH, et al.,



David L. Mossman  
Registration No. 29,570  
Attorney for Applicant  
Telephone No. 915/392-8015

Madan, Mossman & Sriram, P.C.  
2603 Augusta, Suite 700  
Houston, Texas 77057-5638

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Box Non-Fee Amendment, Washington, D.C. 20231, on

JANUARY 10, 2000

Date of Deposit

  
David L. Mossman

1/10/2000  
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

PAUL M. McELFRESH, et al.

Serial No.: 09/400,812

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For: HYDRAULIC FRACTURING USING  
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GELLING AGENT

: PATENT  
: Group Art Unit: 1721  
: Examiner: UNKNOWN  
: Docket No.: 304-15027-US  
: Date: January 10, 2000  
:

CERTIFICATION FOR INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97(e)

Assistant Commissioner for Patents  
Box Non-Fee Amendment  
Washington, D.C. 20231

Sir:

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1. Identification of Information Disclosure Statement for which this  
Certification is Being Made

This certification is being made for the Supplemental Information  
Disclosure Statement

☒ accompanying this certification;  
☐ filed: \_\_\_\_\_

2. Certification

I, the person signing below, certify:

- ☐ that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement. 37 CFR §1.97(e)(1). OR
- ☒ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application. 37 CFR §1.97(e)(2), or that no item of information contained in the Information Disclosure Statement, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 CFR §1.97(e)(2).

**3. Identification of Person Making This Certification**

The person making this certification is:

☐ The inventor who signs below.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name

☐ A person who is substantially involved in the preparation or prosecution of the application, and who is associated with the inventor, with the assignee, or with anyone to whom there is an obligation to assign the application (37 CFR §1.56(c)) and who signs below:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Relationship

- ☒ The attorney who signs below on the basis of:
- ☐ the information supplied by the inventor.
  - ☒ the information supplied by an individual designated in §1.56(c).
  - ☐ the information in the attorney's file.
  - ☐ information found by the attorney while conducting research on an unrelated matter.

Respectfully submitted,  
PAUL M. McELFRESH, et al.,

*David L. Mossman*

David L. Mossman  
Registration No. 29,570  
Attorney for Applicant  
Telephone No. 915/392-8015

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For: HYDRAULIC FRACTURING USING : Date: January 10, 2000  
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GELLING AGENT :

PATENT

Group Art Unit: 1721

Examiner: UNKNOWN

Docket No.: 304-15027-US



SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.56

Assistant Commissioner for Patents  
Box Non-Fee Amendment  
Washington, D.C. 20231

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Sir:

It is respectfully submitted that the art listed on the attached PTO/SB/08 (substitute for 1449A/PTO) be considered in the examination of the subject application and made of record herein. A copy of the art is enclosed herewith.

No representation is made or intended that a search has been made or that no better art than is listed is available. The art is in English, and thus no further explanation of its relevance is required.

The Examiner is encouraged to call the Applicant's attorney at the number below for any reason that may advance the prosecution.

Respectfully submitted,  
PAUL M. McELFRESH, et al.

*David L. Mossman*  
David L. Mossman

Registration No. 29,570

Attorney for Applicants

Telephone No. 915/392-8015

Facsimile No. 915/392-8805

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